

AMENDMENTS TO THE DRAWINGS

Replacement drawing sheets for FIGS. 7 and 26 are enclosed. These figures have been amended to overcome the objections raised by the Examiner. Two (2) pages of replacement drawing sheets are attached after page 19 of this paper.

REMARKS

Reconsideration of the application is respectfully requested.

I. Claims

Claims 1, 4-27, 29, 31, 32 stand rejected.

Claim 1 is herein cancelled without prejudice or disclaimer.

Claims 2, 3, 28 and 30 were previously cancelled without prejudice or disclaimer.

Claims 4-18, 21-27, 29 and 31 were previously withdrawn from consideration.

Claim 1, cancelled herein, is presented anew in new claim 33. No new matter is added.

Claims 19, 20 and 32 are amended. No new matter is added.

Thus, entry is requested on claims 4-27, 29, and 31-33.

II. Objection to Drawings

The drawings are objected to. Specifically, the Examiner finds that the pattern for the adhesive 16 as depicted in FIG. 28 (described by the Examiner as “two lines of adhesive 16 at two locations”) fails to find a basis for support in the specification as originally filed. Applicants respectfully disagree. Referring to the PreGrant Publication, paragraph [0228], the adhesive is described as follows:

The adhesive can be selected from hot-melt type adhesives without restriction, and is applied in a known application pattern in a form of plane, stripes, spiral, Ω , etc.

Applicants submit that the pattern referenced by the Examiner falls within the category of “stripes,” and, therefore, is supported by the specification.

Applicants respectfully request that the objection to Figure 28 be withdrawn. However, Applicants enclose a new Figure 28 including the change requested by the Examiner for filing in the application in the event that the Examiner still believes that a new Figure 28 is required. A replacement sheet for figure 28 is attached.

Therefore, Applicants request that the objection to proposed Figure 7 be withdrawn. However, in the event that the Examiner still believes that a new Figure 7 is required, Applicants enclose a replacement drawing sheet of Figure 7 including the change requested by the Examiner for filing in the application.

The substitute specification, including the abstract, was filed November 13, 2006. Subsequently, by means of instructions in the Response filed on October 16, 2007, and as requested by the Examiner, Applicants re-positioned multiple paragraphs from the Summary portion of the specification to the "Detailed Description of the Invention" portion of the specification. In this current Office Action, the Examiner maintains certain previously raised objections to the specification about informalities. In response to this objection, Applicants now provide an amended substitute specification, including a "marked-up" and a "clean" copy of the specification. This substitute specification includes all of the changes made to the specification by the amendment of October 16, 2007, and addresses the issues raised by the Examiner in this current Office Action. Applicants believe that the substitute specification is in compliance with 37 CFR 1.121 and respectfully request that the substitute specification enclosed herewith be entered, and that the objections to the specification be withdrawn.

On page 5, paragraph 7 of the Office action, the Examiner inquires about the location of the broken line 15. As noted in a prior Response, broken line 15 is in fact provided only on the rear face of the wrapping container. In addition, see the PreGrant Publication, paragraphs [0182-0185].

Immediately thereafter, the Examiner asks how the tape 14 and the sealed longitudinal ends on the front end are torn. The tape is torn by the dominant hand before the fingers of the non-dominant hand are inserted into the finger insertion portions of the wrapping container. This is consistent with the front face of the wrapping container as is shown in Figs. 1(D) or 3(B), and the rear face as shown in Fig. 7.

IV. Claim Rejections – 35 USC §112

Claims 1, 19, 20, 28, 30 and 32 are rejected under the second paragraph of 35 U.S.C. § 112 as being indefinite for failing to particularly point out and distinctly claim the matter which applicants regards as the invention. Applicants cancel claim 1 without prejudice or disclaimer and re-presents cancelled claim 1 as new claim 33. New independent claim 33 includes language which is in the originally filed specification and tracks the Examiner's suggestions as noted on page 9 of the Office action.

Accordingly, Applicants respectfully request that the rejections under the second paragraphs of 35 U.S.C. § 112 be withdrawn.

V. Patentably Distinguishable Subject Matter

The remarks by the Examiner that the prior art, alone or in any combination, do not teach the invention of claims 1 (herein cancelled and re-presented anew as claim 33), 19-20, and 32 is noted with appreciation.

CONCLUSION

In view of the above amendments and remarks, Applicants believe that claims 33, 19, 20 and 32 pending in the application are now in condition for allowance.

If there are any issues remaining which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

Dated: May 8, 2008

Respectfully submitted,

By


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